



DELTA STEWARDSHIP COUNCIL

980 NINTH STREET, SUITE 1500
SACRAMENTO, CALIFORNIA 95814
WWW.DELTACOUNCIL.CA.GOV
(916) 445-5511

DRAFT

Chair
Phil Isenberg

Members
Randy Fiorini
Gloria Gray
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Don Nottoli
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Executive Officer
P. Joseph Grindstaff

April 15, 2011

Ms. Erin Foresman
U.S. Environmental Protection Agency
75 Hawthorne Street, WTR-3
San Francisco, CA 94105

RE: ANPR for Water Quality Issues in San Francisco Bay and Delta Estuary

Dear Ms. Foresman:

The Delta Stewardship Council (Council) is tasked with achieving the coequal goals of providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem. The Council is addressing the coequal goals in the Delta Plan, which will be completed by January 2012. Given these challenging tasks, we are encouraged by U.S. EPA's efforts to address water quality conditions affecting aquatic resources in the San Francisco Bay/Sacramento-San Joaquin Delta Estuary. To help coordinate our efforts with those of U.S. EPA, we offer the following comments on document EPA-R09-OW-2010-0976 Unabridged Advance Notice of Proposed Rulemaking for Water Quality Issues in the San Francisco Bay/Sacramento-San Joaquin Delta Estuary (ANPR) dated February 2011.

The Council is concerned with Delta water quality and any potential adverse impacts it may have on human health, the ecosystem and water supply. However, at present, the most pressing water quality problems in the Delta include 1) excessive concentrations of nutrients such as total ammonia and nitrate and 2) pesticides. In 2010, the State Water Resources Control Board (Water Board) indicated that some of the most serious water quality problems in the Delta watershed and all of California are related to nonpoint source pollution. The Water Board has programs to address these sources but there remains a strong need to address the management of pollutants that are discharged from both point and nonpoint sources into the Delta.

Although significant efforts to address water quality problems in the Delta have already been implemented or are in development, we believe that this action by U.S. EPA is timely. State and Federal agency assessments of water quality in the Delta and its watersheds continue to identify impairment of beneficial uses. Should U.S. EPA choose to take action to address Delta water quality problems, the following would be most helpful.

"Coequal goals" means the two goals of providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem. The coequal goals shall be achieved in a manner that protects and enhances the unique cultural, recreational, natural resource, and agricultural values of the Delta as an evolving place."

– CA Water Code §85054

Ms. Erin Foresman
U.S. Environmental Protection Agency
April 15, 2011
Page Two

We recommend the U.S. EPA:

- Support the development of numeric nutrient water quality criteria for the Delta and its watersheds including criteria for total ammonia, nitrate, total nitrogen, and phosphate.
- Support the development of source control technologies and best management practices to minimize nutrient inputs to the Delta.
- Support the evaluation of potential toxicity of pesticides on aquatic species that are important in the Delta as a condition of their approval and use.
- Support the development of source control technologies and best management practices to minimize pesticide inputs to the Delta.
- Continue to support monitoring, assessment, and scientific research on nutrients and pesticides.
- Support the development of new analytical methods for detecting pesticides and their degradation products at environmentally relevant concentrations.

The Council appreciates the opportunity to provide these comments on the ANPR. Council staff looks forward to working with U.S. EPA to identify, develop, and refine activities to meet our coequal goals of providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem.

If you have questions or would like to discuss these comments further, please contact Sam Harader at (916) 445-5466.

Sincerely,

P. Joseph Grindstaff, Executive Officer
Delta Stewardship Council